

**REAL ESTATE BOARD  
MINUTES  
MADISON, WISCONSIN  
January 24, 2002**

**PRESENT:** Nancy Gerrard, Richard Hinsman, Harold (Hal) Lee (by telephone conference), Richard Kollmansberger, Rebecca Dysland and James Imhoff, Jr.

**EXCUSED:** Bettye Lawrence

**STAFF PRESENT:** Cletus Hansen; William Black, Legal Counsel; and Division of Enforcement staff were present for portions of the meeting.

**GUESTS:** Maria Watts, Non-voting, nominated Board member  
Richard Staff, WRA

**CALL TO ORDER**

The meeting was called to order at 10:40 a. m. by Jim Imhoff, Chair, upon confirmation that the public notice was timely given. A quorum of 6 members was present.

**AGENDA**

**MOTION:** Harold Lee moved, seconded by Richard Kollmansberger, to adopt the agenda, as published. Motion carried unanimously.

**MINUTES (12/6/01)**

**MOTION:** Richard Kollmansberger moved, seconded by Richard Hinsman, to approve the minutes, as written. Motion carried unanimously.

**ELECTION OF OFFICERS**

**MOTION:** Richard Kollmansberger moved, seconded by Nancy Gerrard, to retain the current officers of the Board. Motion carried unanimously.

**ADMINISTRATIVE REPORT**

**Clete Hansen**

• **Board Roster**

Clete Hansen informed the Board that Jerome Nelson had sent a letter of resignation to the Office of the Governor. Therefore, Rebecca Dysland may vote at the meeting and receive

reimbursement of her travel expenses and a per diem. Hansen also said that Bettye Lawrence had informed him that she will resign after this meeting and begin serving as a member of the Board of Nursing. Therefore, Maria Watts would become a voting member at the next Board meeting.

Jim Imhoff informed the Board of the death of Bettye Lawrence's son, Bill Smith. Imhoff expressed the sympathy of the Board and requested that a card be sent to Ms. Lawrence.

Jim Imhoff also requested that a letter of thanks be sent to Jerome Nelson and Bettye Lawrence for serving as members of the Board.

Richard Kollmansberger agreed to serve on the Complaint Screening Panel until Hal Lee returns from Arizona. The date and time of the next screening session was changed to Wednesday, February 27, 2002, at 1 p.m.

- **Meeting Dates for 2002**

Noted. Jim Imhoff said that he and a few investigators will meet with Rebecca Dysland and Maria Watts before the next meeting at 10 a.m. in Room 179B, for the purpose of explaining investigative and prosecutory procedures and forms.

- **Summary Reports on Pending Court Cases, Disciplinary Cases and Administrative Rules**

Noted

- **To-Do List**

Noted

- **To-Pass Folder**

Routed to Board members.

## **LEGISLATION**

### **Update re: Legislation That Relates to Real Estate**

The Board noted correspondence between the Real Estate Appraisers Board and Senator Gwenn Moore, relating to the certification and licensure of real estate appraisers, LRB-4213/1.

Clete Hansen informed the Board concerning discussions he had with Representative Donald Friske's legislative aide, relating to disclosure that land involved in a transaction is in a managed forest program. Hansen said that the outcome of these discussions was an understanding that Rep. Friske will work with the Department in revising the language in the approved Vacant Land Listing and Offer and the Farm Listing and Offer.

Rick Staff informed the Board that the WRA will be introducing a bill, relating to designated agency. He said that he will send a copy of the bill to the Department within the next week or two, so the Department can make recommendations to the Board at the next meeting.

### **REPORT OF THE REAL ESTATE LAW REVIEW COMMITTEE**

Jim Imhoff reviewed the contents of the Committee minutes, relating to the Committee meeting of December 5, 2001. He pointed out there was a meeting on January 23, 2002, and that there will be another meeting on February 27, 2002.

### **MISCELLANEOUS CORRESPONDENCE**

None

### **PUBLIC COMMENT**

None

### **PRESENTATION OF PROPOSED STIPULATIONS BY DIVISION OF ENFORCEMENT**

Staff were available to present the following two stipulations; however, the Board had no questions and no oral presentation was made:

Gordon A. Behm (Greenville, WI) and Kevin S. Bremmer (Rudolph, WI)

### **RECESS TO CLOSED SESSION**

**MOTION:** Rebecca Dysland moved, seconded by Richard Hinsman, to convene the meeting in Closed Session pursuant to Sections 19.85(1)(a), (b), and (f), Wis. Stats., to consider the licensing or discipline of a person licensed by the Department or the investigation of charges against such a person. Specifically, to discuss the Case Closings and the Case Status Report, stipulations that were presented in Open Session, administrative warnings and monitoring reports. Motion carried unanimously by a roll call vote: Richard Kollmansberger - yes; Rebecca Dysland - yes; Nancy Gerrard – yes; Harold Lee - yes; Jim Imhoff - yes and Richard Hinsman - yes.

Open Session recessed at 11:17 a. m.

The Board received a copy of the Division of Enforcement Case Status Report.

The Board deliberated on case closings, stipulations, administrative warnings and monitoring reports. Final voting on these issues was conducted in Open Session.

The Board noted, but did not discuss, correspondence sent by Clete Hansen to Paul Magnuson on December 14, 2002.

### **RECONVENE IN OPEN SESSION**

**MOTION:** Nancy Gerrard moved, seconded by Richard Kollmansberger, to adjourn the Closed Session and to reconvene in Open Session. Motion carried unanimously.

The Open Session reconvened at 12:08 p.m.

### **VOTING ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION**

#### **CASE CLOSINGS**

**MOTION:** Richard Kollmansberger moved, seconded by Nancy Gerrard, to close the following cases presented by the Division of Enforcement for closing. Motion carried unanimously.

|            |            |
|------------|------------|
| 00 REB 009 | 01 REB 195 |
| 00 REB 197 | 01 REB 197 |
| 00 REB 269 |            |
| 01 REB 071 |            |

**MOTION:** Nancy Gerrard moved, seconded by Richard Kollmansberger, to close 99 REB 009 for Prosecutory Discretion (P1). Motion carried. (Richard Hinsman requested that the minutes show that he voted “No.”)

#### **STIPULATIONS**

##### **Gordon A. Behm (Greenville, WI)**

**MOTION:** Nancy Gerrard moved, seconded by Richard Hinsman, to accept the Stipulation, Findings of Fact, and Conclusions of Law and Order in the disciplinary matter involving Gordon A. Behm. Motion carried unanimously.

##### **Kevin S. Bremmer (Rudolph, WI)**

**MOTION:** Nancy Gerrard moved, seconded by Richard Hinsman, to accept the Stipulation, Findings of Fact, and Conclusions of Law in the disciplinary matter involving Kevin S. Bremmer. Motion carried unanimously.

## **CONSIDER CLOSING DISCIPLINARY INVESTIGATION WITH ADMINISTRATIVE WARNING**

### **Richard D. Barbour**

**MOTION:** Richard Hinsman moved, seconded by Nancy Gerrard to return the proposed administrative warning against Richard D. Barbour to the DOE prosecutor and investigator for revision of several items, as suggested by William Black. Motion carried unanimously.

### **Kenneth G. Proksch**

### **Steven J. Oosterhouse**

**MOTION:** Richard Hinsman moved, seconded by Nancy Gerrard, to accept the proposed administrative warning against Kenneth G. Proksch and Steven J. Oosterhouse. Motion carried unanimously.

## **MONITORING REPORT**

Michelle Neverman, on behalf of Marlene Meyer, reported on three monitoring files.

### **Melvyn Mueller (Neillsville, WI)**

**MOTION:** Richard Hinsman moved, seconded by Richard Kollmansberger, that the Department's monitor should send a letter to Mr. Mueller, referring to the original disciplinary order, and acknowledging that he has complied with the order. Therefore, Mr. Mueller's suspension is no longer in effect. Motion carried unanimously.

### **Daniel Navin (Kenosha, WI)**

**MOTION:** Richard Hinsman moved, seconded by Richard Kollmansberger, that William Black should prepare an order, to be signed by Clete Hansen, stating that Mr. Navin has failed to comply with the Board's disciplinary order and that Mr. Navin's license is suspended. Motion carried unanimously.

### **Susan Zgola (Madison, WI)**

**MOTION:** Nancy Gerrard moved, seconded by Richard Hinsman, that the Department's monitor should send a letter to Ms. Zgola, advising her that she has until the date of the next board meeting to comply with the Board's previous disciplinary order or her license will be revoked. Motion carried unanimously.

## **ADJOURNMENT**

**MOTION:** Richard Hinsman moved, seconded by Nancy Gerrard, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 12:13 p.m.